

31604
SEC

SERVICE DATE - JANUARY 22, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42056

TEXAS MUNICIPAL POWER AGENCY

v.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

Decided: January 19, 2001

In a decision served on November 13, 2000, a revised procedural schedule was established in this proceeding as follows:

December 18, 2000	End of discovery period
February 1, 2001	Opening statements due
April 2, 2001	Reply statements due
May 2, 2001	Rebuttal statements due.

In an unopposed motion filed on January 9, 2001, defendant, The Burlington Northern and Santa Fe Railway Company (BNSF), requests a 14-day extension of the procedural schedule.¹ BNSF states that its extension request is driven by the competing time demands of a contemporaneous proceeding² in which reply evidence is due on March 12, 2001, 3 weeks before the reply due date in the instant proceeding. Assertedly, the 2-week extension that BNSF is requesting is the bare minimum necessary to provide its representatives with sufficient time to prepare this reply evidence in light of the competing demands of the two proceedings. BNSF is also requesting a two-week extension of the deadlines for filing opening and rebuttal evidence in the instant proceeding to maintain the time periods between deadlines embodied in the existing schedule.

The extension request is reasonable and will be granted.

¹ BNSF states that complainant, Texas Municipal Power Agency, supports its extension request.

² PPL Montana, LLC v. The Burlington Northern and Santa Fe Railway Company, STB Docket No. 42054, filed July 6, 2000.

It is ordered:

1. The request for a 14-day extension of the procedural schedule is granted. The revised procedural schedule in this proceeding is as follows:

February 15, 2001	Opening statements due
April 16, 2001	Reply statements due
May 16, 2001	Rebuttal statements due.

2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary